

APPENDIX A

SPECIFIC INFORMATION ON HOW TO CONDUCT PUBLIC PARTICIPATION ACTIVITIES

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The following recommended approaches for DOE public participation activities are described in Appendix A:

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Section A.2	Community Interviews
Section A.3	Community Relations Plan or Public Involvement Plan
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The key to successful public participation is targeting activities to the distinctive needs of the community. Therefore, not all of the activities and techniques described in Appendix A are appropriate during every CERCLA response, RCRA corrective action, or NEPA review process. The applicability of specific activities will depend on the characteristics and needs of the community, as well as the availability of DOE resources. This appendix provides key points to remember when conducting the activities in the context of a CERCLA, RCRA, or NEPA process. It does not provide an exhaustive list of public participation activities, nor does it provide every detail necessary for successful implementation of an activity. It is based, in part, on Appendix A of *EPA's Community Relations in Superfund: A Handbook (Interim Version)* (EPA 1988a) and includes several additional suggestions. The discussion of each activity includes, but is not limited to, the following:

- description of the activity

- purpose of the activity
- techniques to implement the activity
- when to conduct the activity
- identification of related or accompanying activities
- benefits and limitations of the activity.

A.1 BRIEFINGS

Description

Briefings are short sessions held with local officials and, in some cases, with State officials and citizens to inform them of the status of site activities. DOE staff should conduct these sessions in person; EPA personnel may choose to attend and participate. The briefings usually precede release of information to the media.

Purpose

During CERCLA removal actions and RCRA interim corrective measures, the purpose of briefings is to notify key officials and citizens of the nature and reasons for the action, and to inform them of recent project developments.

During CERCLA remedial responses and RCRA corrective actions, the purpose of briefings is to inform key officials and citizens about recent developments at the site; to provide them with background material on technical studies, results of the field investigations, and engineering design; and to report to them on planning and progress pertaining to the remedy.

Techniques

Scheduling and holding briefings involve the following process:

- Inform EPA, key State and local officials, citizens, and other interested parties in advance of a briefing concerning recent activities at the site or other related topics. It is usually best to hold the initial briefing in a small public room, such as a hotel meeting room or a conference room. Where relationships are antagonistic, it may be best to hold the briefing in a neutral location.
- Present a short, official statement about preliminary findings from the site activities (such as inspections, investigations, and engineering design). Describe future steps in the process.
- Answer questions and receive input about the statement. Anticipate questions and be prepared to answer them simply and directly.

When to Conduct

Briefings are appropriate when State or local officials or citizens have expressed a moderate to high level of concern about the site. Briefings are recommended at any point during the CERCLA response action and RCRA corrective action, including the RI/FS, RFI, CMS, and design and implementation of the remedy. Briefings are also useful when unexpected events or delays occur at the site.

Accompanying Activities

Briefings usually precede press conferences, press releases, small group meetings, or public meetings.

Benefits

Briefings allow State and local officials and citizens to question DOE directly about any activity prior to public release of information regarding that activity. By doing so, officials and citizen leaders will be prepared to answer questions from their constituents when the information becomes public. Briefings also allow for the exchange of information and concerns.

Limitations

Negative feelings or negative publicity could result if some individuals who believe they should be invited to the briefings are not. Care must be taken not to exclude such persons and not to otherwise convey an impression of favoritism toward certain interested parties.

Although briefings can be effective, there should be other means of communicating with affected communities. Briefings for State and local officials should always be complemented by activities to inform the general public, such as small group meetings or public meetings.

A.2 COMMUNITY INTERVIEWS

Description

These informal face-to-face interviews are held with selected local residents, government officials, community groups, media representatives, and other individuals interested in site activities.

Purpose

The purpose of community interviews is to obtain first-hand information about the community near the site; to gain an understanding of the community's involvement with the site and the political climate in the area; to identify credible sources and disseminators of information; to learn how the community would like to be involved in the environmental decision-making process under CERCLA or RCRA; and to lay the groundwork for developing an effective CERCLA community relations plan or RCRA public involvement plan for the site.

Techniques

The community interviews should be conducted before the community relations plan or public involvement plan is prepared. These interviews involve the following process:

- Contact the designated DOE project manager and staff from appropriate State or local environmental agencies. These people should be able to provide some background information and the names of key people to contact.
- Before conducting the interviews, learn as much as possible about community concerns regarding the site. Review any available agency files that contain news clippings, documents, letters, and other sources of relevant information. Identify local residents, key State and local officials, and citizen organizations that have been involved with or that have expressed concern about the site. While it may not be possible to meet with all interested parties, DOE staff should determine which individuals are most likely to provide the greatest variety of perspectives about the site. Prepare a list of questions that can serve as a general guide when speaking with residents and local officials.
- Telephone the contact people and arrange a convenient time and place to meet. Ideally, the meeting place should promote candid discussions. While government and media representatives are likely to prefer meeting in their offices during business hours, local residents and community groups may be available only in nonbusiness hours. Meetings at their homes may be most convenient.
- Interview local government officials. Include a brief introduction explaining why they are being interviewed and what kind of information is needed.
- Meet with residents and community groups. Be sensitive to residents' needs and remind them that the purpose of the interview is to gather preliminary information for planning an appropriate program for public participation. This reminder should prevent unrealistic expectations (for instance, promises about how quickly a site will be cleaned up or a corrective measure implemented).
- Adequately prepare for the interviews. With adequate preparation, the interviewer can acquire information useful for developing the community relations plan or public involvement plan, as well as respond to initial citizen concerns about the site. It must be emphasized, however, that the primary purpose of community interviews is to collect, rather than disseminate, information.
- Assure interviewees that their statements will remain confidential. At the beginning of each interview, explain that the community relations plan or public involvement plan will be presented to DOE officials and other interested persons, and will be placed in an information repository established at the site. Explain that the information will be used to understand community concerns and that a record of the contact will be made, but DOE will not attribute any specific statements or information to individuals without their permission. Ask interviewees if they would like their names, addresses, and phone numbers on the mailing list, which is established separately from the community relations plan or public involvement plan.
- Identify other possible contacts by asking for names and phone numbers of persons who could provide additional information on the site, such as district health officials. Add these names to the list of interested citizens.

- Ask the interviewees how they perceive DOE's past efforts in providing the community with information about the site, and whether they would like to receive any fact sheets or other printed information as the response or corrective action continues. Keep a list of persons interested in being kept informed.
- Briefly explain the CERCLA or RCRA process and ask the interviewees how they would like to be involved and informed of site activities.
- Identify citizens' concerns, considering the following factors:
 - Threat to health--Do community residents believe their health is or has been affected by the hazardous substances or alleged releases at the site?
 - Economic loss--Do local homeowners or businesses believe that the site has caused them or will cause them economic loss?
 - Credibility--Does the public have confidence in the ability of DOE to perform the remedial or corrective action?
 - Involvement--Has a group leader or organization been vocal in the community? Has this group leader or organization gained a substantial local following? What has been the working relationship between these entities and DOE and/or government-owned, contractor-operated officials? What has been the working relationship between the group leader or organization and other community groups or individuals?
 - Media--Have events at the site received substantial coverage by local, State, or national media? Do local residents believe that media coverage accurately reflects the nature and intensity of their concerns?
 - Number affected--How many households or businesses perceive themselves to be affected by the site?

When to Conduct

The National Contingency Plan (40 CFR 300) states that community interviews be conducted before a community relations plan is developed. DOE is recommending that community interviews be conducted before the development of a RCRA public involvement plan. Ideally, community interviews should also be conducted again before revising a community relations plan because years may have elapsed since the first round of interviews; and therefore, community sentiment may have changed. If there has been much interaction with the community and interested parties, information on citizen concerns may be current and active. In such situations, it may be necessary to conduct only a few informal discussions in person or by telephone with selected, informed individuals who clearly represent the community. This small amount of input would verify, update, or complete the information already available to DOE and would provide sufficient basis for the development of a community relations plan. DOE will decide which interviews and how many are appropriate to accomplish the objective of obtaining sufficient information about community needs and concerns to develop an effective community relations plan. The revised community relations plan is prepared prior to the CERCLA remedial design stage.

Accompanying Activities

Because community interviews are held to determine an appropriate public participation program for the site, these interviews will generally precede, rather than be accompanied by, other public participation activities. Nevertheless, community interviews will involve making some initial telephone contacts and identifying appropriate locations for information repositories and public meetings.

Benefits

~~The views of citizens and government officials are often not stated in the media.~~ Community interviews, however, are excellent sources of opinions, expectations, and concerns regarding a response action. In addition, these interviews may lead to additional information sources. Furthermore, face-to-face interviews can lay the groundwork for building an open, honest, and positive relationship between the community and DOE officials responsible for the remedial or corrective action measure.

Limitations

Individuals may have legitimately different perceptions of the same set of events. As a result, each interviewee may have a different story to tell. Those responsible for conducting the interviews should be particularly sensitive to various points of view and not dismiss one account as being less factual or accurate than another.

A.3 COMMUNITY RELATIONS PLAN OR PUBLIC INVOLVEMENT PLAN

Description

The CERCLA-based community relations plan or the RCRA-initiated public involvement plan are documents that outline the facility's overall public participation program for a specific project. They describe the concerns and issues identified during community interviews and provide a detailed description of the site-specific public participation activities selected on the basis of those interviews. Both should be made available in the information repository.

Purpose

These documents provide the public and DOE with a plan for conducting a public participation program at a facility during a CERCLA or RCRA project.

Techniques

As planning documents, the best community relations plans or public involvement plans generally will be those that convey a working knowledge of the local community and its concerns, while providing a framework for addressing community concerns during the project. However, it is important that the public participation program outlined in each plan include sufficient flexibility to adjust to changes either in community attitudes or in the schedule for technical activities at a site.

While the format for the plans should be varied to reflect the unique characteristics of a specific program, a suggested format for either a CERCLA-based community relations plan or a RCRA-initiated public involvement plan consists of the following five sections and two appendices:

- Section 1: Overview of the Community Relations or Public Involvement Plan
- Section 2: Capsule Site Description
- Section 3: Community Background
- Section 4: Highlights of the Public Participation Program
- Section 5: Public Participation Activities and Timing
- Appendix A: Contact List of Key Community Leaders and Interested Parties (Note: Names and addresses of private citizens should not be included in the copy of the plan that is made available to the public.)
- Appendix B: Suggested Locations for Meetings and Information Repositories.

These sections and appendices are described in greater detail below.

1. Overview of Community Relations or Public Involvement Plan. This section should outline the purpose of the community relations plan or public involvement plan and the distinctive or central features of the public participation effort for this site. Any special characteristics of the community and the site should also be introduced. This overview should be only a few paragraphs in length. It should identify objectives specific to public participation during the project and any special circumstances that the plan will address.

2. Capsule Site Description. This brief section should provide readers with the basic historical, geographical, and technical details necessary to understand the site. Topics that should be covered include the following:

- site location and relationship to homes, schools, playgrounds, businesses, lakes, streams, and parks
- history of site use and ownership
- type of hazardous substances at the site, if known
- nature of threat and potential threat to public health and the environment, if known
- history of inspections and studies conducted at the site.

Maps showing the location of the site within the State and locality also are helpful.

3. Community Background. The community background section will usually be divided into three parts:

- community profile, which should familiarize the reader with the community and analyze key local issues and interests
- chronology of community involvement, which should identify how the community has reacted to the site in the past--What actions, if any, has the public taken to resolve problems at the site? How did the public view previous agency actions at the site? How does the public perceive various levels of the government's involvement at the site and receptiveness to public participation?
- description of key community concerns, which should analyze the major public concerns regarding the site and the process proposed to deal with those concerns.

Throughout the community background section, but particularly in the analysis of community concerns, the plan should focus on the community's perceptions of the events and problems at the site, not on the technical history of the site. This section will contain much of the information obtained during the community interviews.

4. Highlights of the Public Participation Program. This section should summarize the design for the public participation program at the site. The approaches described should be site-specific and follow directly and logically from the preceding discussion of the community and its perceptions of the problems posed by the site. Topics that will be covered in this section include the following:

- site-specific methods of communication, activities, and techniques
- resources to be used in the community relations program (e.g., local organizations, meeting places)
- key individuals or organizations that are expected to play a role in public participation activities
- areas of special sensitivity that must be considered during public participation and technical activities.

5. Public Participation Activities and Timing. This section specifies the types of public participation activities, both required and recommended, to be conducted at the site and when they will be conducted. This section also should identify additional activities that might be appropriate at the site if concern increases or shifts. This section could include a matrix that relates the timing of public participation activities to technical milestones for the site.

Appendix A: Contact List of Key Community Leaders and Interested Parties. The names, addresses, and telephone numbers of all officials and group representatives contacted during the community interviews, along with others who will receive information about site developments, are listed in this appendix. However, the names, addresses, and telephone numbers of private citizens contacted for interviews should not be included in the public plan. These names, addresses, and telephone numbers should, however, be included in the mailing list compiled for the site. The contacts identified in the appendix should include those listed below:

- federal elected officials
- State elected officials

- local elected officials (e.g., county and city or township)
- environmental groups and citizens' groups
- EPA regional officials (e.g., CERCLA community relations coordinator, remedial project manager)
- DOE officials
- State environmental and health department officials
- local health department, safety officials (e.g., fire, police), and township officials
- press contacts (e.g., television, radio, newspapers)
- union representatives.

Appendix B: Suggested Locations for Meetings and Information Repositories. The community relations plan and public involvement plan should identify locations for the information repository and for public meetings. Facilities recommended for holding public meetings include school gyms, town halls, and library meeting rooms. The locations selected for public meetings should be accessible to handicapped individuals. Typical locations of information repositories include local libraries, town or city halls, and county offices. Hours that the information repositories will be accessible should be included in the plans, along with the names of contacts at the repositories. The size or capacity of meeting rooms is a particularly helpful detail for later planning.

When to Conduct

CERCLA law requires a community relations plan for all remedial response actions, and for non-time-critical and removal actions longer than 120 days. For remedial actions, the community relations plan must be prepared before the RI/FS begins, and it should outline public participation activities to be held during the RI/FS.

RCRA law does not require a public involvement plan; however, EPA recommends that a public involvement plan be developed at the outset of the RFI. It should outline public participation activities to be conducted during the RFI, during any interim corrective measures, during the CMS, and up to the selection of the remedy.

Accompanying Activities

While the community relations plan or public involvement plan is being developed, the mailing list and information repositories should be established.

Benefits

A community relations plan or public involvement plan provides a significant compilation of information about a site that will prove useful to the project team and other interested and involved parties. Such

a plan provides an organized, well-thought-out plan for conducting public participation activities throughout the initial phases of a project.

Limitations

Because community concerns and perceptions can change at any time during the course of a project, the community relations plan or public involvement plan must include sufficient flexibility to adjust to these changes.

A.4 EXHIBITS

Description

Exhibits include visual displays of maps, charts, diagrams, photographs, or computer displays. These visuals may be accompanied by a brief text explaining the displays and their purpose.

Purpose

The purpose of the exhibit is to illustrate issues and cleanup actions associated with the CERCLA or RCRA program at a site in a creative and informative way to make technical information more accessible and understandable.

Techniques

To develop and display an exhibit, identify the target audience and the message. Possible audiences include the following:

- general public
- concerned citizens
- environmental groups
- media representatives
- public officials.

Possible messages include the following:

- description of the site
- historical background
- public participation activities
- proposed remedies

- health and safety effects associated with the site.

Determine where the exhibit will be set up or if multiple locations are appropriate. If the general public is the target audience, for example, assemble the exhibit in a highly visible location, such as a public library, convention hall, or shopping center. If concerned citizens are the target audience, set up a temporary exhibit at a public meeting.

Design the exhibit and its scale according to the message to be transmitted. Include photos or illustrations and use text sparingly.

When to Conduct

Exhibits can be used during any phase of a response or corrective action.

Accompanying Activities

Exhibits are useful to display at public meetings or public hearings.

Benefits

Exhibits tend to stimulate public interest and understanding. While a news clipping may be glanced at and easily forgotten, exhibits have a visual impact and leave a lasting impression.

Limitations

Although exhibits inform the public, they are a one-way communication tool. One solution to this drawback is to attach blank postcards to the exhibit, encouraging viewers to comment or submit inquiries by mail to DOE. Another approach is to leave the phone number of the contact who can answer questions during working hours. These requests must be answered or citizens may perceive DOE as unresponsive to their concerns.

A.5 FACT SHEETS

Description

A fact sheet is a brief report summarizing current or proposed activities of the CERCLA or RCRA cleanup program. The fact sheet presents technical information in a clear and understandable format.

Purpose

The purpose of fact sheets is to help ensure that the public is informed of the status and findings of CERCLA or RCRA cleanup actions, and that citizens understand the issues associated with the remedial action or corrective action program.

Techniques

To develop fact sheets, identify phases during the cleanup program where fact sheets would be useful. Some example phases are shown below:

- at the beginning and end of the RI or RFI
- when the FS or CMS is released
- when the ROD is released or when the RCRA remedy is selected.

Fact sheets may also be appropriate at the completion of the RI/FS or RFI work plan, during the site investigation, and during the design and implementation phases of a remedial or correction action.

For each fact sheet, identify the information to be transmitted. Several types of information might be appropriate:

- a brief background on the site
- the legal justification or triggering event for the proposed action(s)
- a timetable for the proposed action(s)
- a description of the issues or problems associated with the site
- a description of the remedial alternatives or corrective actions being considered
- a description of public participation opportunities during the CERCLA or RCRA process
- the name, address, and phone number of a DOE spokesperson who will provide additional information on request
- the location of information repositories where material is available to the public for review.

Select a simple format for presenting the information. Avoid using bureaucratic jargon or highly technical language in the text and be concise.

When to Conduct

Fact sheets are appropriate whenever new information is available and whenever a public comment period is conducted during a response action or corrective action process. In addition to the various stages of the CERCLA RI/FS, or RFI and CMS, fact sheets can be written to explain the design and implementation of the remedy.

Accompanying Activities

Fact sheets can be a particularly useful technique if distributed at a public meeting or public hearing. Fact sheets can provide background information that can be elaborated on at the public meeting or hearing. Fact sheets should always include the name and phone number of the DOE spokesperson who can provide further information. If a general fact sheet is available when community interviews are conducted, it may be distributed to community members interviewed for the community relations plan or public involvement plan.

Benefits

Fact sheets are effective in briefly summarizing facts and issues involved in the cleanup process.

Limitations

Fact sheets take time and require careful coordination between technical and public participation staff. A poorly written fact sheet can be misleading or confusing. Fact sheets are also a one-way communication tool; therefore, they should always include the name and number of a spokesperson. Fact sheets should look professional. People will be less likely to read fact sheets consisting of a solid sheet of typed text than a fact sheet that has been typeset with clear, easy-to-read illustrations. Moreover, a well-designed fact sheet suggests that DOE is taking its public participation program seriously.

A.6 FORMAL PUBLIC HEARINGS

Description

Formal public hearings are formal hearings organized by DOE that are open to the public.

Purpose

The purpose of formal public hearings is to provide an opportunity for formal comment and testimony on proposed actions, without necessarily answering questions or engaging in dialogue with the audience. All testimony received becomes part of the public record.

Techniques

Conducting formal public hearings involves the following process:

- Anticipate the audience and the issues of concern. Sometimes the public may not become actively involved in CERCLA or RCRA issues until a remedy is proposed or selected. Meet citizens' needs for information and input before a formal hearing with, for example, fact sheets, small-group meetings, and briefings.
- Schedule the hearing location and time so that citizens (particularly handicapped individuals) have easy access. Identify and follow any procedures established by the local and State governments for public

hearings. Ensure the availability of sufficient seating, microphones, lighting, and recorders. Consider holding the hearing in the evening to accommodate the majority of concerned citizens.

- Announce the public hearing at least 2 weeks before the hearing date. Fifteen days notice should be provided for NEPA hearings. Provide notice of the hearing in local newspapers and send mailings to interested citizens. Make follow-up phone calls to major participants to ensure that the notice has been received.
- Provide an opportunity for local officials and citizens to submit written comments. Not all individuals will want to provide oral testimony. Publicize where written comments can be submitted and how they will be reviewed.
- Provide a transcript of all oral and written comments. Announce where the transcript will be available for public review.

When to Conduct

The most appropriate time to hold a public hearing as part of the CERCLA public participation process is when the draft FS report is released and as part of the RCRA process when the CMS report is released. Schedule the hearing some time during the public comment period. SEN-15 (DOE 1990b) requires public hearings on all draft EISs, and the NEPA guidelines require a 15-day notice.

Accompanying Activities

Fact sheets providing background information and an update of site activities can be distributed at public hearings. If the hearings are held to solicit comments on the CERCLA proposed plan, the RCRA CMS, or the draft EIS, the hearing will shortly be followed by a responsiveness summary, which documents all public comments submitted and DOE responses to these comments. For CERCLA or RCRA sites where residents have exhibited high levels of concern, or where citizens are not very familiar with the CERCLA or RCRA program, an educational workshop may be helpful 1 or 2 weeks before the public hearing. The workshop could provide detailed information on the CERCLA or RCRA program, explain the technical aspects of the issues at the site, and describe how citizens' input will be incorporated into the remedial or corrective action. Transcripts of all public hearings should be placed at the information repository and in the administrative record.

Benefits

The major benefit of a formal public hearing is that it allows citizens an opportunity to present formally their concerns and ideas to DOE and it provides clear documentation of community concerns.

Limitations

Communication during the hearing tends to be formal and one way, flowing from the public to DOE, and often creates an atmosphere of "us versus them." Citizens usually have little opportunity to have their questions answered, which may be frustrating to some. Holding a question-and-answer session at the end of the presentations may help solve this problem.

A high level of citizen concern may precipitate a disorderly public hearing, where citizen groups attempt to gain support for their positions. The hearing can easily become an adversarial confrontation. One way to avoid hostility or confrontation is to make sure the community residents have had an opportunity to express their concerns in a less formal setting (for instance, in small meetings or open houses). More frequent contact with concerned citizens before a formal public meeting decreases the chance of confrontations.

A.7 INFORMATION REPOSITORY AND ADMINISTRATIVE RECORD

Description

The information repository is a project file or repository containing site information, documents on site activities, and general information, including displays, about the CERCLA or RCRA program. The CERCLA administrative record is a legal file of documents on which the lead agency bases the selection of a response action and on which judicial review of response actions will be based. Both the information repository and administrative record should be established before beginning the RI.

Under CERCLA, the lead agency is required to establish and maintain the administrative record and information repository. Because DOE has lead responsibility for CERCLA response actions at its facilities pursuant to Executive Order 12580, DOE will maintain the administrative record and information repository, unless otherwise specified in a site-specific interagency agreement or federal facility agreement. When DOE facilities are listed on the National Priorities List, DOE must also provide EPA with a copy of the index to the administrative record, among other key documents.

Under the proposed RCRA corrective action rule, the administrative record will be maintained by the EPA or authorized State at the EPA regional office or the authorized State's office. However, DOE is recommending DOE facilities maintain a copy of the administrative record (i.e., all decision-making documentation) because it limits the judicial review of a corrective action. DOE is also recommending that DOE facilities establish at least one information repository for sites undergoing RCRA corrective action, although EPA plans on requiring it only on a case-by-case basis.

Purpose

The information repository allows open and convenient public access to all site-related documents approved by DOE for public disclosure. The administrative record serves two purposes. First, it limits the judicial review of the adequacy of a response action; and second, it acts as a vehicle for public participation in selecting a response action.

Techniques

Maintaining information repositories and administrative records involves the following processes.

Establishing an Information Repository

- Determine a location early in the remedial response or corrective action. One or more locations could be identified during community interviews. Typical locations might be local public libraries, town halls,

public health offices, or the DOE facility itself. Ensure that there are copying facilities available nearby, preferably at the same location as the information repository.

- Consider establishing more than one repository, depending on the level of community concerns or the location of the site relative to the surrounding communities. For example, if a county government seat is several miles from the site and county officials have expressed a strong interest in the site, two repositories may be advisable: one in the community closest to the site itself and the other in the town where the county government seat is based. At least one repository should be open during evening hours and on weekends.
- Select and deposit the materials to be included in the file. The information repository should be organized to be as easy to use as possible by the public. For example, response/corrective action documentation should be presented in a chronological order. Place the documentation into 3-ring binders for ease in copying individual pages (to the extent practicable). The materials contained in the information repository may overlap with the administrative record, although the repository may contain additional information, such as press releases, which is of interest to the public but which does not form the basis of the response section. At minimum, the repository for a remedial site should include copies of the following:
 - information on TAGs
 - draft and final CERCLA FS or RCRA CMS report
 - responsiveness summary
 - signed ROD
 - community relations plan
 - CERCLA RI/FS work plan or RFI work plan
 - CERCLA RI or RFI report
 - design work plan.

The following materials also are strongly suggested for the repository:

- copies of the CERCLA and RCRA laws (e.g., DOE environmental guidance program reference books on CERCLA and RCRA)
- a copy of the National Contingency Plan (40 CFR 300)
- a copy of the site FFA, if one exists
- documentation of validated site sampling results

- brochures, fact sheets, and other information about the CERCLA, RCRA and/or NEPA program and the specific site
- copies of press releases and newspaper clippings that refer to the site
- any other relevant material (for instance, published studies on the potential risks associated with specific chemicals that have been found at the site).
- Clearly indicate how individuals can comment on documents in the information repository. Place a cover note on documents (e.g., the community relations plan) indicating who is to receive comments on the document and when.
- Publicize the existence of the repository. Notify local government officials, citizen groups, and the local media of the location of the project file and hours of operation. Newsletters of local community organizations and church groups are another means of notifying the public.
- Keep the file up to date. Timely replacement of dated information helps avoid unnecessary misunderstandings.

Establishing a CERCLA Administrative Record

A CERCLA administrative record is typically established by following the same steps as for an information repository and is often located in the same place. It must be available to the public at or near the facility. Additionally, the administrative record must be maintained at a central location (e.g., the nearest area or Field Office for the site). To ensure that the administrative record file (and information repository) is accessible by the public, the file must be located where security clearance is not required.

The documents that typically form the CERCLA administrative record include an index of all documents found in the record; general and site-specific guidance documents; final reports generated by

information or comments submitted by the interested parties/public during the public comment periods, including DOE's response to the comments. Primary and secondary documents, as specified in a site's FFA, should also be included. Refer to EPA's *Final Guidance on Administrative Records for Selection of CERCLA Response Actions* (EPA 1990a) for further information. Examples of such documents include the following:

- project plan scope of work
- project plan, including the sampling and analysis plan, the community relations plan, the health and safety plan, and the RI/FS work plan
- risk assessment
- RI/FS reports
- initial screening of alternatives

- proposed plan (remedial action)
- ROD (draft and final)
- initial remedial alternatives/data quality objectives
- site characterization summary
- initial screening of remedial alternatives
- detailed analysis of alternatives
- post-screening investigation work plan
- treatability studies (and work plans)
- treatability test evaluation report
- validated sampling and data results.

Privileged documents, such as documents subject to attorney-client privilege, attorney work product privilege, or deliberate process privileges, and confidential documents, such as those containing confidential business information, will be kept in the confidential portion of the CERCLA administrative record (e.g., a locked cabinet). However, an attempt must be made to summarize the non-public information in a way that can be disclosed to the public and to list it in the index of the public administrative record file. DOE is recommending that classified information be handled in a manner similar to confidential or privileged material. That is, the classified documents will be kept in a locked safe; but an unclassified summary should be prepared (to the extent possible), included in the public portion of the administrative record (the unclassified summary should reference the classified report), and listed in the administrative record index. (Additional questions on this matter should be referred to the appropriate Field Security Officer.)

When to Conduct

At least one information repository must be established near each site before the CERCLA RI/FS or RFI begins. Because repository locations are frequently identified during community interviews, the repository should be established as soon as the community relations plan has been approved and should be maintained throughout the remedial or corrective action.

The National Contingency Plan (40 CFR 300) states that the administrative record shall be available for public inspection at the commencement of the RI phase. For removals where a 6-month planning period exists, the administrative record shall be made available for public inspection when the engineering evaluation/cost analysis is made available for public comment. For all other removals, the administrative record shall be made available for public inspection no later than 60 days after initiation of onsite removal activity.

Accompanying Activities

The spokesperson should be responsible for making sure that all relevant materials have been filed in the information repository. Because the administrative record is a legal document, updating should be the responsibility of the site technical manager, perhaps with assistance from the spokesperson.

Benefits

An information repository provides local officials, citizens, and the media with easy access to accurate, detailed, and current data about the site. It demonstrates that officials are responsive to citizens' needs for comprehensive site information. The administrative record is the legal file of documents upon which the lead agency bases the selection of a response action and also establishes the limits of judicial review in case the remedy selection process is ever challenged.

Limitations

Both the information repository and administrative record require continual maintenance to avoid misunderstandings based on dated information. DOE staff must check the information repository and administrative record regularly to ensure that all essential materials are available.

A.8 MAILING LIST

Description

The mailing list is a list of the names, addresses, and telephone numbers of parties who should receive or have requested to receive information on site activities.

Purpose

The list is used to provide informational materials, such as fact sheets, press releases, and notices, to parties who are interested and involved in site activities.

Techniques

Parties that should be included in a mailing list include federal and State regulators; federal, State, and county elected officials; local officials; property owners contiguous to the site; interested residents; environmental and civic groups; the press, radio, and television media; and others who have expressed an interest in the site.

Developing and maintaining a site mailing list involve the following process:

- For RCRA corrective actions, integrate with the regulatory agency's mailing list.
- Refer to the appropriate appendix in the site community relations plan or public involvement plan to collect entries for starting the mailing list.

- Refer to mailing lists already existing at the facility.
- Ask project personnel from the public affairs, technical, and management groups to suggest additional entries.
- Identify names and addresses of property owners contiguous to the site.
- Obtain entries from community organizations and environmental groups.
- Computerize the mailing list for ease in printing labels, sorting entries, and updating.
- Update the mailing list throughout the CERCLA, RCRA, or NEPA process by adding, deleting, or revising entries as elected or appointed officials are replaced; as people move into, out of, or to a different address within the community; or as new individuals become interested in site activities.
- Maintain the mailing list by including on all mailings a clip-out coupon that can be returned to DOE to add or remove names from the mailing list or to revise names and addresses.
- Prepare a sign-up sheet at public meetings and other public forums for individuals interested in being added to the mailing list.
- If mail is returned to DOE, determine the reason and then revise the mailing list entry accordingly.

When to Conduct

A project mailing list should be developed at the beginning of the CERCLA, RCRA, or NEPA process and maintained throughout the life of the project.

Accompanying Activities

The mailing list should be used for distributing any written informational materials pertaining to the project; these include fact sheets, newsletters, press releases, public notices, and others.

Benefits

A computerized mailing list that is comprehensive and well maintained can assist DOE with the efficient dissemination of written information to a large audience of appropriate individuals.

Limitations

A mailing list is not valuable to DOE if it is outdated and not well maintained. Mailing costs are not well spent if the information does not reach its intended destination.

Mailing informational materials is a one-way method of communication. DOE must also provide opportunities for the public to provide feedback directly to DOE in person. Public meetings, small group or neighborhood meetings, telephone conversations, and other public forums are appropriate ways of encouraging two-way communication.

A.9 NEWSLETTER

Description

A newsletter is an informational brochure published on a regular basis summarizing current, ongoing, and proposed site activities. Newsletters, using a combination of text and graphics, can present a great deal of information in an appealing and accessible format. This guidance assumes use of an existing newsletter. Initiating development of a newsletter requires Office of Management and Budget approval and must be coordinated through DOE's Office of Public Affairs. If a Field Office already has a newsletter, a section could be devoted to environmental restoration activities; or perhaps a TAG or other community group could sponsor a newsletter. Otherwise, the Field Office may want to develop periodic updates on their activities rather than trying to develop a newsletter.

Purpose

A newsletter informs the public of site activities at projects that are expected to continue for more than a year. A newsletter serves to maintain the visibility of the project and document its progress.

Techniques

Developing a newsletter involves the following process:

- Identify the proposed schedule for conducting activities under CERCLA, RCRA, or NEPA and the level of community interest. Then, determine the frequency with which a newsletter should be issued. Every 2 months may be appropriate if site activities are to occur on a fast schedule. However, it is most likely that a newsletter would be appropriately issued on a quarterly basis.
- For each issue of the newsletter, identify the information to be transmitted. (Refer to the discussion in Section A.5, "Fact Sheets.")
- If a "Tiger Team" has prepared a report at the facility, the findings and proposed actions of that investigation can be described in a "Tiger Team" column in the newsletter; and with each issue, an update on progress related to the proposed actions can be provided.
- Use the publication of the newsletter as a means of integrating and disseminating information on all of the CERCLA, RCRA, or NEPA activities under way at the facility. Unlike a fact sheet, the format of a newsletter is more appropriate for providing detailed information on several different projects or phases of projects. For example, at a site with many ongoing projects, a newsletter might include a timeline for tracking all public participation and technical activities.
- Select a simple format that will encourage the involvement of the reader. Avoid using bureaucratic or technical jargon and use graphics, where appropriate, to enhance the information.

When to Conduct

Publishing a newsletter is appropriate at sites with numerous ongoing CERCLA, RCRA, or NEPA projects; at sites with complex technical issues and lengthy schedules for addressing them; at sites with an

active, interested community; or when a community has asked to receive detailed information on a regular basis.

Accompanying Activities

A newsletter can keep the public up to date on site activities by communicating information on a regular basis. This information serves as background for any other activities in which the reader becomes involved.

Benefits

Newsletters can be important tools for keeping the public informed of site activities such as findings, progress, and changes in schedules. They can be particularly helpful in maintaining the public's interest and the flow of information during periods of long technical studies.

Limitations

Preparation of newsletters can be time-consuming, and printing and mailing costs can be expensive.

A.10 PRESS CONFERENCES

Description

Press conferences are information sessions or briefings that are held for representatives of the news media but are also open to the general public.

Purpose

Press conferences provide the media with accurate information concerning important developments during or after the response or corrective action and announce plans for any future actions at the site.

Techniques

Conducting press conferences involves the following process:

- Evaluate the need for a press conference. Because statements made during a press conference may be misinterpreted by the media, use this activity carefully.
- Notify members of the local and regional media of the time, location, and topic of the press conference. Local officials and EPA may also be invited to attend, either as observers or participants, depending upon their interest. A press conference that includes local officials may underscore DOE's responsiveness and commitment to their interests and concern.
- Plan exactly what to say in advance. Live conferences leave no room for mistakes.
- Anticipate reporters' questions and have your answers ready.

- Present a short official statement, both written and spoken, about developments, findings, and planned actions.
- Open the conference to questions to be answered by DOE officials, local officials, EPA, and any other experts present. Have technical staff on hand to answer any technical questions. Decide in advance who will answer what types of questions.

When to Conduct

Press conferences should be used primarily to announce significant findings at the site. Other community relations techniques such as fact sheets, press releases, and public meetings may be more appropriate for reporting the results of field investigations, sampling results, or other preliminary information.

Press conferences can be used during any phase of a CERCLA or RCRA process, including RI/FS, RFI, CMS, and design and implementation of a remedy.

Accompanying Activities

Press conferences can be made before or after formal public hearings or public meetings. They are accompanied by press releases.

Benefits

Press conferences provide a public forum for DOE and EPA to announce plans and developments. They are also an efficient way to reach a large audience. A written press release can help ensure that the facts are presented accurately to the media. During the question period, the DOE spokesperson can demonstrate knowledge of the site and may be able to improve media relations by providing thorough, informative answers to all questions.

Limitations

A press conference can focus considerable attention on the situation, potentially causing unnecessary local concern. Residents may not welcome the increased attention that such media coverage is apt to bring. Press releases or other lower-profile means of disseminating information should be considered as alternatives.

A risk inherent in press conferences is that the media can take comments out of context and create false impressions. This risk is heightened when staff are unprepared or when the conference is not properly structured or when unanticipated questions are asked.

A.11 PRESS RELEASES

Description

Press releases are statements released to the news media that discuss CERCLA, RCRA, or NEPA actions proposed by DOE.

Purpose

The purpose of press releases is to make an official statement at milestones in the remedial response or corrective action program, such as selection of a remedy, key project dates, and completion of containment or cleanup actions.

Techniques

Press releases can effectively and quickly disseminate information to large numbers of people. They may also be used to announce public meetings, to report the results of public meetings, and to describe how citizen concerns were considered in the response or corrective action.

Preparing press releases involves the following process:

- Enlist the aid of a public affairs specialist in identifying the relevant regional and local newspapers and broadcast media. Get to know the editor and the environmental reporter who might cover the issue; be familiar with their deadlines.
- Contact other involved agencies at the federal, State, and local level to ensure that all facts and procedures are coordinated and correct before releasing any statement.
- Select the information to be communicated. Place the most important and newsworthy elements up front and present additional information in descending order of importance. Enlist the aid of a public affairs specialist in writing the release. When a draft FS is issued for a CERCLA program, for example, the news release should contain the following facts:
 - the findings of the investigation
 - a statement of what needs to be done
 - a statement of what will be accomplished by the alternatives under consideration
 - their costs and benefits
 - the next steps.

The same information should be provided at the release of a RCRA CMS.

- Use supporting paragraphs to elaborate on findings, alternatives, and other pertinent information. Mention any opportunities for citizen input, such as public meetings, and cite factors that might contribute to earlier implementation or delays in the remedial or corrective action. Note the location of the information repository (or other sources for relevant documents).
- Be brief; limit the press release to essential facts and issues.
- Use simple language. Avoid the use of professional jargon and overly technical words.

- Identify the agency issuing the news release. The top of the sheet should include the following:
 - name and address of the DOE office
 - release time ("For Immediate Release" or "Please Observe Embargo Until") and date
 - name and phone number of the DOE spokesperson for further information
 - a headline summarizing the action taken.
- Send copies of the release to local officials and citizen groups leaders before the release is given to the press.

When to Conduct

Press releases can be used when significant findings are discovered at the site, when program milestones are reached, or when schedules are delayed. However, avoid issuing a press release at times when it may be difficult for citizens to get in touch with responsible officials (e.g., Friday afternoons or the day before a holiday).

Accompanying Activities

Press releases can accompany any formal public hearings or public meetings held by DOE. They commonly accompany press conferences.

Benefits

A press release to the local media can reach a large audience quickly and inexpensively. If the name, address, and phone number of the spokesperson are included, reporters (and possibly interested citizens) can raise questions about the information in the release.

Limitations

Because press releases must be brief, they often exclude details in which the public may be interested. A press release should therefore be used in conjunction with other methods of communication that permit more attention to detail.

A.12 PUBLIC COMMENT PERIOD

Description

A public comment period is a designated time period when comments from citizens are formally accepted by DOE.

Purpose

The public comment period allows citizens to review and comment on DOE's CERCLA proposed plan, RCRA corrective measure, or a NEPA draft EIS.

Techniques

Holding a public comment period involves the following process:

- Announce the public comment period at least 2 weeks in advance and again just before the event. NEPA requires 15 days notice. This announcement should be made in a local newspaper of general circulation. It may be included in the newspaper notice of the CERCLA proposed plan or other actions. Identify where copies of the pertinent documents can be found and where all written comments should be submitted.
- Identify a spokesperson within DOE who will answer citizens' questions regarding the public comment period. Publicize the name and telephone number of this spokesperson.
- For a CERCLA site, prepare a transcript of any public meetings that occur during the public comment period on the proposed plan and RI/FS report. Insert the transcript in the administrative record.
- Document, with a memo to the file or record of communication, any other comments expressed that are not available in written form and that are of significance for evaluating any of the remedies.

When to Conduct

A minimum 30-day public comment period is required by CERCLA when the RI/FS and proposed plan have been released for public review. A 30- to 45-day public comment period is required by DOE as part of the RCRA process when the CMS has been released. Under NEPA, a 30-day public comment period must be conducted to enable the public to comment on the EIS scoping; a minimum 45-day public comment period must be conducted so that the public can comment on the draft EIS; and a minimum 30-day public review period must be conducted for the public to review the final EIS.

Accompanying Activities

At a CERCLA site, a public notice and opportunity for a public meeting must be provided when a public comment period is held on the RI/FS and proposed plan. Under RCRA, at the request of the public, a public meeting may be held to explain the proposed corrective measure. Comments received during the public comment period must be discussed in a responsiveness summary.

Benefits

Public comment periods allow citizens to comment on DOE proposals and to have their comments incorporated into the public record.

Limitations

Public comment periods only allow indirect communication between citizens and DOE officials because the formal responses to the comments may, in some cases, not be provided for some time; and comments may, in some cases, not be responded to individually. A public participation program should provide other activities that allow dialogue between DOE officials and the community.

A.13 PUBLIC MEETINGS

Description

A public meeting is a large meeting open to the public. Experts are available to present information and answer questions, and citizens may ask questions and offer comments.

Purpose

Public meetings are held to inform citizens of ongoing response and corrective action activities, and to discuss and receive citizen feedback on the proposed course of action.

Techniques

Holding public meetings involves the following process:

- Identify participants. In addition to DOE staff, consider asking EPA, the State, and/or local officials to make a short presentation and to respond to questions.
- Prepare an agenda, detailing specific issues to be considered or specific tasks that must be accomplished at the meeting. If possible, involve citizens in developing the agenda.
- Be sensitive to special needs of community members. For a foreign-language-speaking community, consider the use of simultaneous translation during the public meeting. For deaf participants, consider providing a sign language translation. Acronyms and jargon should be kept to a minimum, if not totally eliminated.
- Rehearse presentations in advance. Staff unaccustomed to speaking before large audiences should practice their presentations, obtain criticism, and improve their speaking style or content.
- Announce a large public meeting in local newspapers and to broadcast media 2 weeks in advance of the scheduled date. Fifteen days notice should be provided for NEPA scoping meetings. Before the meeting begins, review the agenda with participants. Clarify that the meeting is not a formal public hearing to receive testimony, but a meeting to exchange information and comments.
- Hold the meeting in a comfortable setting. Make sure the location is easily accessible, is well lighted, and has adequate parking and seating, especially to the handicapped.

- Consider holding the meeting under the sponsorship of an existing organization. For example, conduct the meeting as a portion of a regularly scheduled city council meeting, or as a special presentation to a group such as the Rotary Club or the League of Women Voters (if sessions are open to the general public).
- Begin the meeting by stating the purpose, then outline the agenda and the procedures for asking questions.
- Present the issues concerning the site, preliminary findings, and proposed course of action. Keep DOE presentations short (20 minutes) to allow plenty of time for the question-and-answer session. Allocate a time period for citizens to express their concerns and ask questions. Meetings may last from 1 to 3 hours.
- Consider different formats for the meeting to encourage information exchange. Not all meetings need to be run formally from a platform in front of the room. Alternative formats--such as having a moderator circulating through the audience to solicit questions--may encourage greater participation in the meeting.
- If the meeting is held during a public comment period, prepare a transcript of the meeting that will be publicly available in the administrative record. Announce at the end of the meeting how the transcript can be obtained.
- Set up information displays and tables manned by personnel who can answer technical questions.

When to Conduct

Under the CERCLA program, DOE must provide the opportunity for a public meeting before adopting a plan for remedial action or ROD. Generally, this meeting should take place during the public comment period on the RI/FS and proposed plan. Under NEPA, a public meeting must be held to determine the "scope" of an EIS (i.e., a scoping meeting). Fifteen days notice should be provided for NEPA scoping meetings. Public meetings may also be used to present the CERCLA or RCRA work plan, or the EIS implementation plan to the community, when the remedy is being designed and when the remedy is being implemented.

Accompanying Activities

A public notice may be used to announce public meetings. Fact sheets should be distributed at public meetings, if possible. A transcript of public meetings held during the public comment period on the proposed plan and RI/FS report must be made available to the public in the administrative record.

Benefits

Public meetings allow the public to express its concerns to DOE or to local government officials. Meetings also allow DOE to present information on a proposed course of action and to participate in direct two-way communication with the public. Public meetings can provide a setting for DOE and the community to resolve their differences.

Limitations

Public meetings may not be the best way to obtain citizen input. If controversy surrounding the site has escalated, a public meeting can intensify conflicts rather than resolve them. Evaluate the usefulness of a public meeting by reviewing the site's history and level of citizen involvement in this and similar controversies. If public meetings have been failures in the past, then use an alternative method, such as small group meetings, to transmit information and obtain feedback.

A.14 PUBLIC NOTICES

Description

Public notices are advertisements, usually a display ad published in major local newspapers, broadcasts via local radio stations, or individual mailings to announce DOE and EPA decisions, major project milestones, and public meetings. They are also sent to solicit public comment on DOE actions.

Purpose

Public notices provide an official announcement of DOE activities and plans and encourage public involvement in DOE decisions.

Techniques

Preparing a public notice involves the following process:

- Identify the community to be reached by the notice. In some cases, there may be only a small group of people adjacent to the site that will need to be informed of site activities. In such cases, a display ad in a local or community newspaper or a mailing may be more appropriate than a city-wide radio broadcast.
- Enlist the support of a public affairs staff person in identifying the major media contacts. While many newspapers, newsletters, local radio stations, or even television stations may serve a particular area, use only one or two for the public notice. In general, the newspaper with the widest circulation and greatest visibility will reach the most people and elicit the greatest response.
- Take into account publication schedules. Many local or community newspapers are published weekly or bi-weekly, making it difficult to coordinate the publication of the notice with the event. In such cases, consider using a city-wide newspaper that is published more frequently.
- Announce dates, times, and locations clearly in the public notice. When scheduling an event, make sure that the date and time do not conflict with other public meetings or holidays.
- Provide ample notice. Provide at least 1 week of notice to ensure the greatest level of participation possible. Two weeks of notice is recommended for public comment periods. For NEPA projects, 15 days notice is required. Be sure to state the opening and closing dates for the comment period.

- Provide the name, address, and telephone number of the spokesperson for more information. For example, for notices that announce the beginning of CERCLA RI/FS, include the location of the information repository. A clip-out coupon may be added, allowing interested parties to send their names and addresses to DOE to obtain a fact sheet or to be placed on the mailing list.

When to Conduct

Under the CERCLA program, activities which require a public notice include:

- when the RI/FS and proposed plan become available
- when a public comment period is held on the RI/FS and proposed plan
- when the response action has been selected
- whenever remedial action is taken that differs significantly from the final remedial plan adopted by EPA or DOE.

No public notices are required by law under the RCRA program. However, a public notice could be used to announce the following:

- the beginning of a CERCLA RI or RFI
- availability of the information repositories
- removal actions or interim corrective measures
- a "kickoff" public meeting on CERCLA RI/FS or RFI work plans
- other public meetings.

Under the NEPA program, activities which require a public notice, including a *Federal Register* notice, include:

- to announce the public comment period on the EIS scoping (NOI)
- to announce the availability of draft and final EISs (notice of availability published by EPA).

Public notices in newspapers are also used to announce public meetings.

Accompanying Activities

Public notices should announce the availability of fact sheets, as well as the scheduling of public comment periods and public meetings.

Benefits

Public notices are an efficient, simple means of alerting the public to important events.

Limitations

Public notices should never substitute for other activities that involve direct communication with the public.

A.15 RESPONSIVENESS SUMMARY**Description**

The responsiveness summary is a summary of the written or oral comments made by the public on key project documents and DOE responses to those comments. A responsiveness summary is required as a component of the ROD under the CERCLA statute. Under RCRA, a responsiveness summary may be prepared by EPA or the State regulatory agency.

Purpose

The responsiveness summary serves two function. First, it provides the decision maker with information about the views of the community and of other parties concerning the proposed remedy and any alternatives. Second, it documents how public comments have been considered during the decision-making process and answers major comments raised.

Techniques

A responsiveness summary should be a concise and complete summary of significant comments from the public, and EPA's and/or DOE's response to these comments. It should be simple, straightforward, and readable. By way of summary categories, it should include references to all significant comments, criticisms, and new data received and the agency's position on each issue. It should not be a point-by-point recitation of each comment. For example, members of the public may submit very detailed and technical comments that require lengthy responses. It may be advisable to prepare responses to those comments in one document that is placed in the administrative record and repository, then summarize those responses in the responsiveness summary. The responsiveness summary also should state where the detailed response is available for public review. Each written or documented comment is included in the administrative record and, in this way, is available for public review.

A responsiveness summary should be divided into four sections:

1. **Overview.** The first section should describe the selected remedy and any changes as compared with the alternatives presented previously. The level of community support for the agency's preferred alternative should be discussed and compared with the level of support for other alternatives.

2. **Background on Community Involvement.** The second section should provide a brief history of community interest in the site and should identify key public issues. Major modifications in the project, which were the result of public comment and concern, should be noted. A listing of public participation activities conducted to date may be included as an attachment to the responsiveness summary.
3. **Summary of Comments Received and Agency Responses.** This section should include a summary of comments received from all interested parties, including citizens' groups or individuals in the community, the community's technical advisors, and local officials. Included within each category of comments should be the lead agency's response. Possible categories or subsections might include technical comments, concerns regarding remedies, the public participation process, costs, etc. Comments received during the public comment period, as well as significant concerns raised over the course of the site history relating to the remedy selection, should be included. Substantive comments received after the close of the comment period also should be included to the extent practicable. Significant community concerns which will not, and cannot, be addressed by DOE because of lack of jurisdiction or other aspects that would make any departmental action inappropriate, should be noted with an explanation of why no DOE action will occur.
4. **Concerns Pertaining to the Design and Implementation of the Remedy.** This final section should describe public concerns raised during the public comment period that relate to the design and implementation of the remedy, (e.g., air monitoring during implementation). This will keep DOE alert to community concerns during this stage of the process.

Because of the wide-ranging nature of comments addressing technical, legal, financial, and public or private due-process concerns, preparation of the responsiveness summary is usually a team effort under the direction of the technical project manager. Public participation staff are usually given responsibility for coordinating this effort because the responsiveness summary is the primary means of documenting community involvement in the decision-making process.

When to Conduct

CERCLA requires that a responsiveness summary be prepared for any response action where a ROD is needed. For a RCRA corrective action project, EPA or the State may prepare a responsiveness summary for comments received on the CMS report.

Accompanying Activities

Responsiveness summaries should document oral or written citizen input submitted at public meetings, public hearings, or during public comment periods, as well as major issues and concerns raised during a response or corrective action.

Benefits

The agency responsible for the site response should have a clear record of community concerns about the site so that this information can be considered in selecting the appropriate remedy. The summary is

also an aid to evaluating past community relations efforts and planning for subsequent activities during the design and implementation of the remedy.

Limitations

The responsiveness summary should not be viewed as a substitute for other community relations techniques. In addition, it should not be a point-by-point recitation of each comment.

A.16 REVISION OF COMMUNITY RELATIONS PLAN OR PUBLIC INVOLVEMENT PLAN

Description

A site's community relations plan or public involvement plan is revised to incorporate new information, to reflect changes in community concern, or to prepare for community activities during CERCLA remedial design and remedial action or RCRA corrective measures design and implementation.

Purpose

Revisions are made to ensure that the community relations plan or public involvement plan remains sensitive to citizens' concerns through final phases of the CERCLA remedial action or RCRA CMI. These revisions also help to evaluate which community relations activities were effective and which were not.

Techniques

A community relations plan or public involvement plan initially outlines the community relations program techniques for the RI/FS or RFI phase of the remedial or corrective action. Once the ROD for a site is completed or a corrective measure is selected, it is appropriate to reassess the nature and extent of community concerns and to develop a new schedule of community relations activities for the design and construction phases of the remedial action. Revisions needed will vary from site to site.

When to Conduct

A community relations plan or public involvement plan should be revised before the remedial design begins if this is not already addressed in the plan. If, after the plan has been prepared, community concerns change focus or increase in intensity, the plan should be revised accordingly.

Accompanying Activities

The responsiveness summary will provide some information to assess the nature and extent of citizens' concerns after the CERCLA RI/FS or RFI is completed. Additional community interviews can provide further information for revising the community relations plan or public involvement plan.

Benefits

Revising the community relations plan or public involvement plan will help to ensure that DOE continues to respond to citizens' concerns during remedial design and action. Simple changes can also help a public participation staff person; for example, the contacts list can incorporate changes in addresses, new telephone numbers, and the names of new officials.

Limitations

DOE staff should make certain that resources are available to implement all activities identified in the revision.

A.17 SITE TOURS

Description

Site tours are scheduled trips to the site for media representatives, local officials, and citizens; during site tours, technical and public participation staff answer questions.

Purpose

Site tours increase understanding of the nature of the problems at a site and the restoration activities proposed or under way.

Techniques

Conducting site tours involves the following process:

- Compile a list of individuals who might be interested in participating in a tour:
 - individual citizens or nearby residents who have expressed concern about the site
 - representatives of public interest or environmental groups who have expressed interest in the site
 - interested local officials
 - representatives of local citizen or service groups
 - representatives of local newspapers, television stations, and radio stations.
- Determine the maximum number of individuals who can be safely taken on site. Keep the group small so that all who want to ask questions may do so. Schedule additional tours as needed.
- Think of ways to involve tour participants. A "hands-on" demonstration of how to read monitoring devices is one example.

- **Anticipate questions.** Have someone available to answer technical questions in nontechnical terms.
- **Ensure that visitors are kept in clean areas of the site.** If visitors enter areas where they may be exposed to hazardous substances, health or safety hazards (e.g. exclusion zones), assurances must be made that the tour complies with the safety plan for the site, including Occupational Safety and Health Administration (OSHA) training.

When to Conduct

Conditions permitting, tours can be conducted at any site where citizens or local officials have expressed an interest. Site tours may be particularly appropriate during or after the remedy construction phase, so citizens can see a remedy in progress.

Accompanying Activities

Fact sheets complementing presentations given on site tours can be distributed to tour participants.

Benefits

Site tours familiarize the media, local officials, and citizens with the site and with the individuals involved in cleanup operations. Unreasonable fears about the risks of the site may be dispelled. The results of site tours could mean better understanding between the community and DOE.

Limitations

Site tours require considerable staff time to prepare the explanation of site activities and to escort citizens through the site. Staff may have difficulty gaining site access for non-DOE people, especially if OSHA training is required.

A.18 SMALL GROUP MEETINGS

Description

Small group meetings are held in private homes or in local meeting places where DOE staff responsible for site remediation can exchange first-hand information with interested citizens and local officials.

Purpose

Small group meetings inform citizens and local officials of site activities, answer questions, and clear up any misconceptions or misunderstandings. These meetings develop DOE sensitivity to citizen concerns, establish rapport, and develop a good working relationship with residents.

Techniques

Conducting small group meetings involves the following process:

- Identify interested citizens and officials.
- Contact each citizen group and local agency who are directly affected by site activities, or contact individuals who have expressed significant concern regarding site activities.
- Offer to discuss cleanup plans at a convenient time.
- For a CERCLA removal action or RCRA interim corrective measure, schedule the meeting after actions are completed or after DOE has accurate information to share with the citizens. For a CERCLA remedial action or RCRA corrective measure, determine when community concerns may be highest and schedule meetings accordingly. An example of this would be the release of the draft FS or CMS report.
- Limit attendance to between 5 and 20 individuals. The larger the group, the less likely that some people will candidly express their concerns. Establishing rapport with individuals in a large group is also more difficult. If a greater number of citizens and officials are interested, schedule additional small meetings.
- Select a meeting date, time, and place conducive to two-way interaction. The meeting place should have chairs that can be arranged into a circle or some other informal setting. If citizens will not be able to meet during working hours, schedule meetings in the evening. A private home or public library meeting room may be more conducive for exchanging ideas than a large or formal public hall. When scheduling the meeting, make sure that the date and time do not conflict with other public meetings that citizens may want to attend (for example, town council meetings) or with holidays or other special occasions. Be sure that the meeting location does not conflict with State "sunshine laws." (For instance, a State may require that all meetings between State or federal officials and the public be held in a public location.) In selecting a public meeting place, be attentive to the special needs of handicapped individuals (e.g., access ramps or elevators).
- Begin with an overview of current and future site activities. Keep it brief (no more than a few minutes) and informal to promote open discussion. Cover such issues as the following:
 - extent of cleanup
 - safety and health implications
 - factors that might speed up or delay the cleanup
 - how community concerns are considered in making decisions on the response or corrective action.
- Identify the major agencies and individuals responsible for the site cleanup. Citizens will then know where to direct further questions or voice new ideas or suggestions.

- Gear the discussion to the audience. Discuss problems in technical terms only if citizens are familiar with them.
- Find out what the citizens want done. Some concerns may be met by making minor changes in DOE's actions. Discuss the possibility for compromise or explain the reasons why citizen requests appear to be unworkable or to conflict with program or legal requirements.
- Follow up on any major concerns. Stay in touch with the groups and contact any new groups who have formed, so that new or increasing concerns can be dealt with before problems develop.

When to Conduct

Small group meetings can be used effectively during virtually all phases of a CERCLA remedial response or RCRA corrective action. Small group meetings are also appropriate during CERCLA removal actions or RCRA interim corrective measures.

Accompanying Activities

Community interviews usually precede these meetings because it is during these onsite interviews that concerned citizens groups are identified and contacted. Possible meeting locations are also identified during the community interviews. Distributing fact sheets at these meetings may also be appropriate, depending on when they are held.

Benefits

The primary benefit of small group meetings is that they allow two-way interaction among citizens, local officials, and DOE. Not only will citizens be informed about the proposed response, but officials responsible for the site can learn how citizens view the site. Small group meetings also add a personal dimension to what could otherwise be treated as a purely technical problem. Familiarity with how the remedy is selected can assist citizens in understanding the CERCLA, RCRA, and NEPA processes and promote their participation.

Limitations

Small group meetings may require a day or more of staff time to reach a limited number of citizens. One pitfall is that some citizens or environmental groups may perceive DOE's efforts to restrict the number of attendees as a "divide and conquer" tactic to prevent large groups from exerting influence on potential actions and to exclude certain individuals or groups. One way to prevent this perception is to hold additional small group meetings with organizations who express concern about being left out of the process.

Irate groups or individuals may also accuse DOE staff of telling different stories to different groups at these small meetings. DOE can avoid this criticism by inviting a cross section of interests to each small meeting. Alternatively, DOE staff can keep a written record of the small group discussions and make it available upon request. A record of discussions is required for meetings held during the public comment period, and it must be made available to the public in the administrative record.

A.19 SPOKESPERSON

Description

A spokesperson is one DOE staff person designated to assume responsibility for addressing citizens' concerns, answering their questions individually, and for responding to inquiries from the media.

A spokesperson helps to build trust between DOE and citizens.

Techniques

Designate a DOE spokesperson for each CERCLA removal or remedial action and each RCRA interim corrective measure or corrective action to respond to citizens' requests for information, to answer their questions, and to address their concerns on any aspect of the process. If citizens are able to interact with the same staff person throughout the process, they may gradually develop more trust and confidence in DOE actions.

When a spokesperson is assigned to a site, the following process is involved:

- Send out a news release announcing the spokesperson to all local newspapers, radio stations, and television stations. Include the spokesperson's telephone number and mailing address in all news releases, fact sheets, and mailings.
- Inform all DOE staff members who may be involved with the site--and consequently, may be approached by the spokesperson for information--of the new contact. Specify the role the spokesperson is to have at the site.
- Keep a log book of all citizen requests and comments received by the spokesperson, and how each one was handled. This will help to ensure that incoming requests are not filed and forgotten.

When to Conduct

A spokesperson should be designated for each site when the response or corrective action begins--that is, before the RI for CERCLA remedial actions, any field activity for CERCLA removals or RCRA interim corrective measures, and the RFI for RCRA corrective action.

Accompanying Activities

Designation of the spokesperson should be announced in news releases and fact sheets. If a spokesperson has been designated during the RI/FS process, or the RFI or CMS process, the record of citizen requests and comments received by the spokesperson can later be incorporated into the responsiveness summary.

The spokesperson should also be responsible for making sure that all relevant material is filed in the site's information repository.

Benefits

A spokesperson can ensure citizens that DOE is actively listening to their concerns and can provide the community with consistent information.

Limitations

The spokesperson may not have the authority to resolve all of the concerns raised by citizens; his or her role may be limited to providing information and facilitating communication between DOE staff and citizens. If, for any reason, the identity of the spokesperson changes, it is important to ensure that the community is well informed about this change.

A.20 TELEPHONE HOTLINE**Description**

The hotline is a toll-free telephone number to a telephone located in a DOE office.

Purpose

The telephone hotline provides citizens with an opportunity to ask questions and obtain information promptly about site activities.

Techniques

Installing a telephone hotline, either as a "permanent" fixture available throughout the cleanup action or as a temporary measure installed at the time of major project milestones, involves the following process:

- Assign one or more staff members to handle the hotline calls. Consider installing more than one line to minimize the chance of citizens reaching a busy signal when they call. If staff are not available throughout the day, install an answering machine directing citizens to leave their name, number, and brief statement of concern, and informing them that a DOE official will return their call promptly. Check the answering machine for messages at least once a day. If the level of concern is high, check for messages more frequently.
- Announce the telephone hotline in news releases to local newspapers, radio stations, and television stations.
- Keep a written record of each question, when it was received, and how and when it was answered.

When to Conduct

A telephone hotline would be useful during a CERCLA RI or RFI, if concern is high about the levels of contaminants at the site. A hotline is particularly useful if any unexpected event, such as a fire or explosion, occurs at a site. A hotline can also be effective during a CERCLA or RCRA remedy imple-

mentation phase, when citizens may have complaints regarding environmental impacts such as excessive dust, noise, or traffic.

Accompanying Activities

One of the functions of the spokesperson might be to respond to inquiries on the hotline.

Benefits

A hotline can provide citizens with a relatively quick means of expressing their concerns directly to DOE and getting their questions answered. This quick response can help to reassure citizens that DOE is listening to their concerns. A telephone hotline can also help to monitor community concerns. A sudden increase in calls could indicate that additional community relations efforts may be warranted.

Limitations

Citizens calling the hotline must receive responses to their questions or concerns quickly, or they may become frustrated with the agency. Furthermore, hearing a recorded message on the hotline could irritate or alienate some callers. If the number of calls is large, responding quickly to each inquiry could prove burdensome to agency staff.

A.21 WORKSHOPS

Description

Workshops are seminars or a series of meetings to discuss hazardous substance issues, to allow citizens to comment on proposed response or corrective actions, and to provide information on the technical issues associated with the site and the CERCLA or RCRA program in general. Experts may be invited to explain the problems associated with releases of hazardous substances and possible remedies for these problems.

Purpose

Workshops improve the public's understanding of the hazardous substance problem at the site and prevent or correct misconceptions. Workshops also enable DOE staff to identify citizen concerns and to receive citizen comments.

Techniques

Conducting a workshop involves the following process:

- Plan the workshop. Decide in advance the minimum and maximum number of participants. If there are too few, consider holding an informal meeting and postpone the workshop until additional interest develops. Identify a convenient location and time for the workshop, and set a date that does not conflict with other important meetings or interests (for example, town council meetings, high school basketball games).

- **Announce the workshop by publishing a notice well in advance (at least 3 weeks) in the local newspapers. Send notice of workshops and registration forms with mailings to all citizens on the site mailing list and distribute posters around town. Provide for multiple registrations on each form to accommodate friends who might also be interested in the workshop. Emphasize that the number of participants is limited and provide a deadline for registration.**
- **Cover the following topics:**
 - nature of restoration problems
 - methods of containing and cleaning up any release problems, and monitoring the cleanup
 - identification of health or environmental problems
 - method and format for receiving citizen comments on the proposed or ongoing response.

When to Conduct

Workshops are appropriate for presenting technical information to citizens, such as that contained in the draft CERCLA or the RCRA CMS feasibility study.

Accompanying Activities

Workshops can be conducted before formal public hearings or during public comment periods to give citizens some ideas on developing and presenting testimony. Fact sheets and exhibits can be used at workshops.

Benefits

Workshops provide more information to the public than is possible through fact sheets or other written materials. Workshops have proven successful in familiarizing citizens with key technical terms and concepts before a public meeting. Workshops also allow two-way communication, making them particularly good for reaching opinion leaders, interest group leaders, and the affected public.

Limitations

Workshops can reach only a small segment of the affected population, if only a limited number are held.

APPENDIX B

RESOURCES FOR PUBLIC PARTICIPATION PERSONNEL AT HAZARDOUS WASTE FACILITIES

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DOE AND EPA PUBLIC PARTICIPATION TRAINING PROGRAMS

- EPA has a number of "off-the-shelf" courses in community relations, public involvement, and media skills. For information on these and other public participation courses, contact:

Susan M. Prestwich, EM-52
Division of Technology Integration and
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FTS 233-7924
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- EPA's Office of Solid Waste and Emergency Response (OSWER) offers the following community relations training:
 - Title: "Community Relations in Superfund: Concepts and Skills for Response Staff"
 - Course Goal: To introduce remedial and removal program staff to community relations requirements, including the concepts and skills necessary to successfully implement program activities with a team approach.
 - Brief Description: The course covers concepts and skills to use when working with citizens, local elected officials, the media, responsible parties, and other members of the public. These skills can be useful in holding public meetings, building good media relations, and managing conflict. Practical exercises are used to inform trainees and elicit discussion.

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APPENDIX C

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